IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

WP(C).No. 26850 of 2007(U)

PETITIONER:

SR.SINIMOL N.O., AGED 29 YEARS,
D/O.OUSEPH, NALKARA HOUSE, CHENGAMANADU, ALUVA,
NOW RESIDING AT JYOTHI NIVAS, ADORATION CONVENT,
B.M.C.P.O., THRIKKAKKARA, KAKKANAD-682 021.

BY ADV. SRI.C.S.MANU
SRI.ANOOP JOSEPH
SRI.ANOOP.V.NAIR

RESPONDENT:

REGISTRAR OF BIRTHS AND DEATHS, (1ST
GRADE HEALTH INSPECTOR), ALUVA MUNICIPALITY,
ALUVA)

BY ADV. SRI.V.M.KURIAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 26850 OF 2007

Dated this the 10th day of September, 2007

JUDGMENT

Sri.V.M. Kurian, Standing Counsel takes notice on behalf of the Alwaye Municipality.

2. It appears to me that the petitioner is having a genuine grievance. The date of birth of the petitioner as per the register of the church in which she was baptised and also as per her SSLC certificate is 20.11.1977, which according to the petitioner is her correct date of birth. But in the birth register of the respondent Municipality, her date of birth is shown by mistake as 23.11.1977. The petitioner filed Ext.P3 application under Section 15 of the Registration of Births and Deaths Act, 1969 and also produced Ext.P3(a) declarations by two respectable persons belonging to the locality where the petitioner was born in support of her assertion that entry in the birth register relating to the her birth is a mistake. The petitioner submits that she wants the correction to be made at the earliest so as to enable her to go over to West Germany so that she can take up employment in that country.

Having considered the averments in the Writ Petition, documents placed on record and the submissions made at the Bar, I dispose of the Writ Petition itself issuing the following directions:

The respondent is directed to enquire into Ext.P3 application submitted by the petitioner, complete the enquiry relying on Ext.P3(a) declarations and take a final decision as envisaged by Rule 11 of the Kerala Registration of Births and Deaths Rules, 1999 at the earliest and at any rate within three weeks of receiving copy of this judgment.

PIUS C. KURIAKOSE, JUDGE

btt